

**BEFORE THE BOARD OF PROFESSIONAL CONDUCT
OF THE SUPREME COURT OF OHIO**

In re:

Complaint against

Case No. 2025-013

**Mackenzi Ailene Carrington
Attorney Reg. No. 0099583**

**Report and Recommendation
of the Board of Professional
Conduct**

Respondent

Disciplinary Counsel

Relator

DISCIPLINE BY CONSENT

{¶1} This matter was submitted to a hearing panel consisting of Hon. Rocky A. Coss, Vito J. Abruzzino and Richard L. Creighton, Jr., chair, pursuant to a consent-to-discipline agreement filed on December 8, 2025. No member of the hearing panel resides in the appellate district from which the complaint arose or served on the probable cause panel that certified the complaint to the Board. Respondent waived an independent determination of probable cause by a Board panel.

{¶2} The hearing panel finds that this agreement was filed on a timely basis and conforms to the requirements of Gov.Bar R. V(16). The panel recommends acceptance of the agreement including the recommended sanction of a one-year suspension, stayed in its entirety, on the conditions set below.

Background

{¶3} Respondent was admitted to the practice of law in Ohio on December 14, 2020 and is subject to the Ohio Rules of Professional Conduct and the Supreme Court Rules for the Government of the Bar of Ohio. Respondent has no prior discipline.

{¶4} Respondent was retained on June 11, 2024 by Kathryn Caudill to represent her in a divorce action and was paid a \$2,000 retainer fee.

{¶5} On or about June 12, 2004, Mount Orab Police Chief Jason Hahn visited Respondent's office and revealed during a conversation with Respondent that he had learned from Caudill that Respondent had been retained to represent her. Respondent recalled that Chief Hahn expressed that he had serious concerns about Caudill's mental well-being based on recent events and warned her that he did not believe it would be a good idea to meet with Caudill alone.

{¶6} On June 12, 2024, Caudill called Respondent's office several times demanding to speak with Respondent who was out of the office. Caudill told Respondent's paralegal, Elicia Hamblen, that if Respondent did not call her back by 5:00 that day, it would "be bad for her." Hamblen contacted Respondent who asked Hamblen to schedule a telephone call the next day with Caudill if she called again. A telephone call was scheduled for the next morning with Caudill after she subsequently called the office,

{¶7} On June 13, 2024, at approximately 9:00 a.m., Respondent called Caudill who informed Respondent that she was video-recording the telephone call and asked her to confirm that she was her "retained attorney" to which Respondent replied in the affirmative. (Joint Ex. 3.)

{¶8} Caudill cut Respondent off as she attempted to speak and stated:

Okay. Don't say anything else. Don't say anything else. I am going to continue speaking. As of today and my whistleblower protection status I have a list of things that will need to be accomplished and so I am going to state these demands and I am going to give you the opportunity because you are so in it to say pass and then you remain retained which means you will remain silent, correct?

In response to the above, responded stated, "I don't understand."

Caudill continued:

I'm about to take on all of Brown County. Can you handle that? Yes, or no? Now, wait a minute, and think about it before you answer, because if you are not with me, you are effectively against me. Now, I've been played long enough. I'm done. And I've got everyone dead to rights. It took years to escape. I am a victim of interpartner violence. And Mt. Orab has failed me, has failed [H.C.], has failed [U.C.], and has failed Kathryn Caudill, who cut a check for \$932 in April. We will be having some changes in this city, and if you can't stomach it — and I mean there's going to be two people off the police force today on administrative leave, today. And if you can't make that happen I need you to say, 'I would like you to maintain plausible denia—deniability,' and I need you to say it loudly.

{¶9} Respondent then said, "I think you're going to have to find a different attorney, Kathryn." Caudill responded, "No, I think you're retained. So you can be ... well hold on, I need you for notary, that's all I need you for. Please remain retained and maintain your confidentiality, as much." Respondent stated, "I will always maintain my confidentiality...."

{¶10} Caudill interrupted Respondent, saying, "I am not so sure about that, and I'm giving you an opportunity to prove to me that you are not as corrupt and as scummy as the rest of this county. You've got a very short window with me."

{¶11} Caudill asked why Respondent was not able to work with her, and Respondent replied, "because you're making demands of me that I don't understand."

{¶12} Respondent told Caudill she would refund her retainer to which Caudill repeated "no you won't," and stated, "I'm going to tell you right now, Mackenzi, I'm going to tell you right now, if you don't want to lose your license, you had better think —you had better think on this."

{¶13} After the conversation ended, Respondent told her paralegal what she believed she had heard on the call, that Caudill threatened to kill her and two MOPD officers. (Joint Ex. 4.) The paralegal had observed Respondent during and after the call and saw her shaking, in tears, and scared for her safety and that of her staff. Realizing that Caudill lived less than a minute from her office, Respondent directed her paralegal to lock the office door.

{¶14} After the telephone call concluded, Respondent contacted the MOPD to report that relator had made death threats and later filed a written report stating:

I was hired to represent Kathryn Caudill. When I spoke to her via phone on 6/13/2024 she threatened to kill two Mt. Orab Police Officers and myself. Specifically, that the officers and myself would be dead by the end of the day. I understood this to be a serious threat that she would act on if not reported. This conversation took place at 9:00 a.m. today.

{¶15} Caudill was taken into custody on the same day under R.C. 5122.10 and was involuntarily admitted to Clarmont Mercy Hospital. She was released on June 16, 2024 and subsequently arrested for aggravated menacing stemming from Respondent's police report. On June 17, 2024, Caudill attended a pretrial, received a \$5,000 bond, remained incarcerated for ten days, and was released on her own recognizance on or about June 25, 2024.

{¶16} In July or August, 2024, Brown County Assistant Prosecutor Michele Harris showed Respondent the video-recording of Caudill's call with Respondent, at which time Respondent learned that she had misheard or misunderstood Caudill, and that her police report was inaccurate. The video revealed that Caudill never threatened any type of physical harm against Respondent or police officers. Respondent asked the prosecutor to dismiss the charges.

{¶17} Having practiced for only three and a half years, Respondent did not have significant experience dealing with irate clients or clients experiencing mental health issues. When Respondent made the police report she believed that Caudill had threatened her life and the lives of two police officers.

{¶18} Respondent initiated a full refund of the retainer fee to Caudill on June 13, 2024 at 9:39 a.m.

{¶19} Based on the foregoing, the Respondent has admitted that her conduct outlined above violated the following rules of professional misconduct:

- *Prof.Cond.R. 1.6(a)* (a lawyer shall not reveal information relating to the representation of a client);
- *Prof.Cond.R. 8.4(d)* (conduct prejudicial to the administration of justice.)

{¶20} On December 8, 2025, on the joint motion of the parties, the panel unanimously dismissed the remaining alleged violation of Prof.Cond.R. 8.4(c).

AGGRAVATION, MITIGATION, AND SANCTION

{¶22} When recommending sanctions for attorney misconduct, the panel must consider all relevant factors, including the ethical duties violated by Respondent, precedent established by the Supreme Court, and the existence of aggravating and mitigating factors. Gov.Bar R. V(13)(A).

Aggravating Factors

{¶23} The panel concurs in the parties' stipulation as to the following aggravating factors:

- The vulnerability of and resulting harm to the victim.

Mitigating Factors

{¶24} The panel concurs in the parties' stipulation as to the following mitigating factors:

- Lack of prior disciplinary offenses;
- Full and free disclosure to the Board or cooperative attitude toward proceedings; and
- Evidence of good character and reputation.

Sanction

{¶1} The parties have proposed the imposition of a one-year, fully stayed suspension.

The panel independently considered the following cases in which the Supreme Court has imposed sanctions for similar misconduct:

- *Cleveland Metro. Bar Ass'n. v. Heben*, 2017-Ohio-6965, in which the respondent received a one-year fully stayed suspension for a violation of Prof.Cond.R. 1.6(a), based upon an affidavit he filed in support of a motion to withdraw as counsel, in which he recounted communications with the client about the scope of representation and his compensation, accused the client of refusing to pay his agreed-upon fees "without cause," disclosed legal advice that he had given the client, and accused the client of retaliation for discharging him because of his advice concerning the client's

objectionable and potentially illegal actions.” A selfish motive and failure to acknowledge the wrongful nature of his conduct were found as aggravating factors.

- *Dayton Bar Ass’n v. Daly*, 2025-Ohio-1624. Respondent was suspended for eighteen months, fully stayed on conditions, for disclosing confidential client information about a client’s alleged drug use, prostitution, and driving without a license to police in violation of Prof.Cond.R. 1.6(a). Aggravating factors of selfish-motive, pattern of misconduct, multiple offenses, and a lack of cooperation were found. As for mitigation, Respondent had no prior discipline, eventually cooperated with the disciplinary proceedings, and admitted his misconduct.
- *Disciplinary Counsel v. Holmes and Kerr*, 2018-Ohio-4308. In a consent-to-discipline case, respondents, members of separate law firms, consented to six-month, fully stayed suspensions, for exchanging a dozen emails in which they revealed their respective clients’ confidential information to each other, including information protected by the work-product doctrine or attorney-client privilege. An aggravating factor of a pattern of misconduct was found.
- *Cleveland Metro. Bar Ass’n v. Hackerd*, 2019-Ohio-1340. Respondent was publicly reprimanded for violation of Prof.Cond.R. 8.4(d) by representing the former spouse of a former client in a child-custody case and opposing the former client’s motion to disqualify him for that representation. No aggravating factors were present and mitigating factors of no prior discipline, no dishonest or selfish motive, full and free disclosure and cooperative attitude, evidence of good character and reputation, and remorse were found.

{¶25} Based on the above-referenced case law and the presence of multiple mitigating factors, the panel recommends acceptance of the consent-to-discipline agreement and the imposition of a one-year suspension, stayed in its entirety, on condition that Respondent commit no further misconduct.

BOARD RECOMMENDATION

Pursuant to Gov.Bar R. V(12), the Board of Professional Conduct considered this matter on February 6, 2026. By a two-thirds vote, the Board accepted the agreement entered into by Relator and Respondent and recommends that Respondent, Mackenzi Ailene Carrington, be

suspended from the practice of law in Ohio for one year with the suspension stayed in its entirety on the conditions that she refrains from further misconduct. The Board incurred no expenses in the adjudication of this matter.

Pursuant to the order of the Board of Professional Conduct, I hereby certify the report and recommendation as that of the Board.

Elizabeth T. Smith

ELIZABETH T. SMITH, Director